IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(*Special Original Jurisdiction*)

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FRIDAY, THE THIRD DAY OF MARCH

TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE V.ESWARAIAH

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WP.No.3774 OF 2006

Between

V.Sathi Reddy …. Petitioner

Versus

The District Collector,

Ranga Reddy district & Ors. … Respondents

Counsel for the Petitioner: Sri C.Damodar Reddy (165)

Counsel for the Respondents: Govt.Pleader for Revenue

O R D E R :

It is stated that abutting to the land of the petitioner there is Government land admeasuringAc:1-24 guntas in survey no.231 situate on the southern side of Chandanagar village, Serilingampally Mandal, Ranga Reddy district and out of the said land the petitioner is in illegal possession of Ac:0-32 guntas and one Sri M.Ravinder Reddy is in the remaining extent of Ac:0-32 guntas in the said survey number.

It is stated that the petitioner filed an application on 11-2-1993 followed by another application dated 21-2-2006 seeking for the assignment of the said land on collection of market value but the same has not been considered and disposed. It is stated that a similar application is filed by Sri M.Ravinder Reddy and when he has filed WP.No.22332 of 2002, this court by an order dated 14-11-2002 disposed of the said writ petition directing the respondent to consider his application for regularization of his possession in accordance with the Government Orders and the Rules made therein, within three months and till his application is considered a direction was given not to dispossess him.

It is also stated that the case of the petitioner stands on the same footing and that he is entitled for the same relief.

The learned Government Pleader on instructions submits that the said land is a Poramboke and moreover the petitioner and the said Sri M.Ravinder Reddy encroached the said land, therefore, the Mandal Revenue Officer, Serilingampally Mandal has filed LGC.No.18 of 1994 against the encroachers; i.e., Sri M.Ravinder Reddy and the petitioner, Sri V.Sathi Reddy before the Special Court constituted under Andhra Pradesh Land Grabbing {Prohibition} Act and the land grabbing court also passed orders for eviction of land grabbers in LGC.No.18 of 1994 dated 18-7-1994 and as the land grabbers-encroachers have not vacated within a period of two months, possession of the said land has been taken over by the Government on 31-12-1994 under a cover of panchanama and at present the land is in possession of the Government. The petitioner filed an application seeking for assignment of the said land on the market value. To consider the said application of the petitioner, certain conditions have to be fulfilled but the petitioner has not fulfilled the conditions stipulated in G.O.Ms.No.508 dated 20-10-1995 and G.O.Ms.No.515 dated 19-4-2003.

Heard the learned counsel for the petitioner as well as the learned Government Pleader for the respondents.

Having regard to the facts and circumstances of the case, I am not inclined to express any opinion as to whether the petitioner has fulfilled the conditions stipulated by the Government in G.O.Ms.No.508 dated 20-10-2005 and

G.O.Ms.No.515 dated 19-4-2003 for regularization of the encroachment and if the said application is not considered and disposed of, the first respondent is directed to consider and dispose of the same on merits and in accordance with law if the petitioner is found eligible and entitled for the assignment. The above exercise shall be completed within eight weeks from the date of receipt of a copy of this order. However, in the meanwhile, *statusquo* obtaining as on today shall continue.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

MARCH 3rd, 2006. ----------

I s L. V. ESWARAIAH, J.

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NB: Furnish CC tomorrow

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B/o. IsL.

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